

The Law Firm of  
**WAGNER & WAGNER, LLP**

Edward Wagner, Esq.†  
Judy Wagner, Esq.†

2508 Amboy Road  
Staten Island, NY 10306

† Admitted to practice in  
New York and New Jersey

Telephone (718) 667-7400  
Facsimile (718) 667-3338

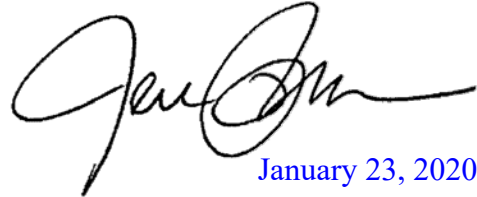
January 23, 2020

**VIA ECF**

Hon. Jesse M. Furman, USDC  
United States District Court  
Southern District of New York  
40 Centre Street, Room 2202  
New York, NY 10007

To encourage the parties' settlement efforts, the parties' application is GRANTED. That said, the parties are advised that further extensions will likely be denied. The deadline to submit the joint pretrial order is EXTENDED to February 26, 2020. The Clerk of Court is directed to terminate ECF No. 76. SO ORDERED.

Re: Rizzica v. 213-85 Corp.  
Docket #: 18-CV-8003-JMF-SLC



January 23, 2020

Dear Judge Furman:

Our office represents the Plaintiff in the above matter.

We are writing pursuant to Paragraph 1.E. of your Individual Rules to respectfully request an extension of time to file a Joint Pretrial Order in this action. As per your directives in your Rule, please be advised as follows:

**(1) The original date:**

The original deadline is Monday, January 27, 2020.

**(2) The number of previous requests for adjournment or extension:**

There have been no prior requests for an extension.

**(3) Whether these previous requests were granted or denied:**

Not applicable.

**(4) The reasons for the requested extension:**

The parties have not neglected this matter. In fact, defense counsel and I have fully completed the Joint Pretrial Order pursuant to Paragraph 5.A. of your Individual Rules, however, need more time to comply with the ancillary documents required by 5.B. and 5.C. of your Rules (i.e., electronic copies of exhibits, exhibit lists, requests to charge and proposed voir questions) as there are voluminous exhibits (57 for plaintiff, 73 for defendant). Attached hereto as an Exhibit is the draft of that Joint Pretrial Order.

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In addition, since the last conference with your Honor, the case has been assigned to the Hon. US Magistrate Judge Sarah L. Cave for a settlement conference. That settlement conference is scheduled for Thursday, January 30, 2020.

**(5) Whether the adversary consents:**

I have spoken to defense counsel, Rhonda D. Thompson, Esq., by telephone and she consents to the relief sought herein.

**(6) The date of the parties' next scheduled appearance before the Court:**

The next scheduled appearance is a settlement conference before the Hon. US Magistrate Judge Sarah L. Cave on Thursday, January 30, 2020.

For the reasons stated above, it is respectfully requested that the deadline for the submission of the Joint Pretrial Order be extended for thirty (30) days, to February 26, 2020.

Respectfully yours,

*/s/ Edward Wagner*

EDWARD WAGNER, ESQ.  
EW:s

cc: Law Office of Kevin J. Philbin Att: Rhonda D. Thompson, Esq. via ECF